

Agriculture and Natural Resources Appropriations Bill House File 2458

Last Action:

House Floor

April 2, 2014

An Act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, making related statutory changes, providing for eminent domain procedures, and including effective and applicability date provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www.legis.iowa.gov/LSAReports/noba.aspx>

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FUNDING SUMMARY

Appropriates a total of \$43.1 million from the General Fund and 1,571.0 FTE positions for FY 2015. This is an increase of \$2.2 million and 74.5 FTE positions compared to estimated FY 2014. Appropriates \$87.8 million from other funds. This is a decrease of \$250,000 compared to estimated FY 2014. This Bill also replaces the \$20.0 million standing appropriation for the Resource Enhancement and Protection (REAP) Fund with a \$16.0 million appropriation from the Environment First Fund (EFF) for FY 2015.

Page 1, Line 1

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

General Fund - Department of Agriculture and Land Stewardship (DALs): Appropriates a total of \$22.4 million from the General Fund and 374.0 FTE positions for FY 2015. This is an increase of \$2.0 million and 44.5 FTE positions compared to estimated FY 2014 for:

Page 1, Line 4

- \$2.0 million and 1.0 FTE for the Water Quality Initiative.
- 43.5 FTE positions for operations.

General Fund - Department of Natural Resources (DNR): Appropriates a total of \$15.1 million from the General Fund and 1,146.0 FTE positions for FY 2015. This maintains the current level of funding and provides an increase of 36.0 FTE positions compared to estimated FY 2014 for operations.

Page 9, Line 1

General Fund - Iowa State University (ISU): Appropriates \$5.5 million and 51.0 FTE positions to ISU for operations at the Veterinary Diagnostic Laboratory. This is an increase of \$237,000 and a decrease of 6.0 FTE positions compared to estimated FY 2014.

Page 13, Line 35

Environment First Fund - Total Funding: Appropriates \$42.0 million from the EFF and maintains the current level of funding compared to estimated FY 2014. Program funding changes include:

Page 14, Line 33

- An increase of \$550,000 for Agriculture Drainage Wells.
- An increase of \$725,000 for the Soil Conservation Cost Share Program.
- An increase of \$275,000 for the Loess Hills Conservation Authority.
- An increase of \$200,000 for a new Silos and Smokestacks Program.
- A decrease of \$1.8 million for State Park operations.

STUDIES AND INTENT

Requires the DNR to allocate 50.0 FTE positions for State Park operations for maintenance and upkeep.

Page 9, Line 16

Prohibits the DALs, the DNR, and the Board of Regents from using any funds for payment of a personnel settlement agreement with a State employee that contains a confidentiality agreement.

Page 24, Line 29

SIGNIFICANT CODE CHANGES

Iowa Code cites relating to the Fish and Game Protection Fund include:

Page 10, Line 14

- Permits the DNR to use unappropriated funds in the Fish and Game Protection Fund to provide compensation to retiring conservation officers. This includes payment of insurance premiums and unused sick leave.
- Permits the DNR to use unappropriated funds from the Fish and Game Protection Fund for FY 2014 salary increases.

The following Divisions of the Bill have Code changes and are effective upon enactment:

Page 22, Line 12

- Division VIII -- REAP Fund Open Spaces Account appropriation to the DNR for FY 2014.
- Division IX -- REAP Fund Open Spaces Account appropriations to the DNR for FY 2015.
- Division X -- Extension of the date the DNR can use funds from the Fish and Game Protection Fund to purchase radios to June 30, 2015.
- Division XII -- Extension of the date the DNR can use Groundwater Protection Funds for the Manure Certification Program to June 30, 2015.
- Division XIII -- Specifies Water Quality Initiative landowner information is confidential and exempted from public access.
- Division XIV -- Prohibits the DNR from using eminent domain for land acquisition using money from the REAP Fund Open Spaces Account.
- Division XV -- Specifies the Loess Hills Alliance cannot have a land management agreement with a governmental agency unless approved by a referendum.
- Division XVI -- Changes to eminent domain laws.

House File 2458 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
25	21	32	Strike	466B.47.5
25	23	33	New	466B.49
26	14	35	Add	455A.19.1.a.(4)
27	7	39	New	161D.9
27	20	41	New	6A.15
28	2	42	Amend	6A.22.2.c.(1)
29	23	43	Add	6B.54.10.a.(3)
29	33	44	New	6B.56B
30	29	45	Amend	403.7.1
31	7	46	New	423B.11
31	17	47	Add	455A.5.7
31	26	48	Amend	456A.24.2
31	32	49	Add	456A.24.15
32	6	50	Amend	461A.7
32	13	51	Amend	461A.10
32	24	52	Amend	463C.8.1.k

1 1 DIVISION I
 1 2 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
 1 3 GENERAL APPROPRIATION FOR FY 2014-2015

1 4 Section 1. 2013 Iowa Acts, chapter 132, section 27, is
 1 5 amended to read as follows:
 1 6 SEC. 27. GENERAL FUND — DEPARTMENT.
 1 7 1. There is appropriated from the general fund of the state
 1 8 to the department of agriculture and land stewardship for the
 1 9 fiscal year beginning July 1, 2014, and ending June 30, 2015,
 1 10 the following amount, or so much thereof as is necessary, to be
 1 11 used for the purposes designated:
 1 12 For purposes of supporting the department, including its
 1 13 divisions, for administration, regulation, and programs; for
 1 14 salaries, support, maintenance, and miscellaneous purposes; and
 1 15 for not more than the following full-time equivalent positions:
 1 16 \$ 8,790,664
 1 17 17,605,492
 1 18 FTEs 372.00

General Fund appropriation to the Department of Agriculture and Land Stewardship (DALs).

DETAIL: Maintains the current level of funding and provides an increase of 34.00 FTE positions compared to estimated FY 2014 for operations.

1 19 2. Of the amount appropriated in subsection 1, the following
 1 20 amount is transferred to Iowa State University of Science and
 1 21 Technology, to be used for the university's Midwest Grape and
 1 22 Wine Industry Institute:
 1 23 \$ 419,000
 1 24 238,000

Transfers \$238,000 from the General Fund appropriation to the DALs to the Midwest Grape and Wine Industry Institute at Iowa State University (ISU).

DETAIL: Maintains the current level of funding.

1 25 3. The department shall submit a report each quarter of the
 1 26 fiscal year to the legislative services agency, the department
 1 27 of management, the members of the joint appropriations
 1 28 subcommittee on agriculture and natural resources, and the
 1 29 chairpersons and ranking members of the senate and house
 1 30 committees on appropriations. The report shall describe in
 1 31 detail the expenditure of moneys appropriated in this section
 1 32 to support the department's administration, regulation, and
 1 33 programs.

Requires the DALs to submit a quarterly report to the Legislative Services Agency (LSA), the Department of Management (DOM), the members of the Agriculture and Natural Resources Appropriations Subcommittee, and the Chairs and Ranking Members of the standing Appropriations Committees detailing the expenditures of the money appropriated.

1 34 DESIGNATED APPROPRIATIONS
 1 35 MISCELLANEOUS FUNDS

2 1 Sec. 2. 2013 Iowa Acts, chapter 132, section 28, is amended
 2 2 to read as follows:
 2 3 SEC. 28. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —
 2 4 HORSE AND DOG RACING. There is appropriated from the moneys
 2 5 available under section 99D.13 to the department of agriculture

Native Horse and Dog appropriation to the DALs from the unclaimed pari-mutuel receipts winnings.

DETAIL: Maintains the current level of funding.

2 6 and land stewardship for the fiscal year beginning July 1,
 2 7 2014, and ending June 30, 2015, the following amount, or so
 2 8 much thereof as is necessary, to be used for the purposes
 2 9 designated:
 2 10 For purposes of supporting the department's administration
 2 11 and enforcement of horse and dog racing law pursuant to section
 2 12 99D.22, including for salaries, support, maintenance, and
 2 13 miscellaneous purposes:
 2 14 \$ 152,758
 2 15 305,516

2 16 Sec. 3. 2013 Iowa Acts, chapter 132, section 29, is amended
 2 17 to read as follows:
 2 18 SEC. 29. RENEWABLE FUEL INFRASTRUCTURE FUND — MOTOR
 2 19 FUEL INSPECTION. There is appropriated from the renewable
 2 20 fuel infrastructure fund created in section 159A.16 to the
 2 21 department of agriculture and land stewardship for the fiscal
 2 22 year beginning July 1, 2014, and ending June 30, 2015, the
 2 23 following amount, or so much thereof as is necessary, to be
 2 24 used for the purposes designated:
 2 25 For purposes of the inspection of motor fuel, including
 2 26 salaries, support, maintenance, and miscellaneous purposes:
 2 27 \$ 250,000
 2 28 500,000

2 29 The department shall establish and administer programs
 2 30 for the auditing of motor fuel including biofuel processing
 2 31 and production plants, for screening and testing motor fuel,
 2 32 including renewable fuel, and for the inspection of motor fuel
 2 33 sold by dealers including retail dealers who sell and dispense
 2 34 motor fuel from motor fuel pumps.

2 35 SPECIAL APPROPRIATIONS
 3 1 GENERAL FUND

3 2 Sec. 4. 2013 Iowa Acts, chapter 132, section 30, is amended
 3 3 to read as follows:
 3 4 SEC. 30. DAIRY REGULATION. There is appropriated from the
 3 5 general fund of the state to the department of agriculture
 3 6 and land stewardship for the fiscal year beginning July 1,
 3 7 2014, and ending June 30, 2015, the following amount, or so
 3 8 much thereof as is necessary, to be used for the purposes
 3 9 designated:
 3 10 1. For purposes of performing functions pursuant to section
 3 11 192.109, including conducting a survey of grade "A" milk and
 3 12 certifying the results to the secretary of agriculture:
 3 13 \$ 94,598
 3 14 189,196

Renewable Fuel Infrastructure Fund appropriation to the DALs for the Motor Fuel Inspection Fund.

DETAIL: Maintains the current level of funding.

Specifies the duties related to motor fuel inspection to be completed by the DALs.

General Fund appropriation to the DALs for the Dairy Survey Program.

DETAIL: Maintains the current level of funding.

3 15 2. Notwithstanding section 8.33, moneys appropriated in
 3 16 this section that remain unencumbered or unobligated at the
 3 17 close of the fiscal year shall not revert but shall remain
 3 18 available to be used for the purposes designated until the
 3 19 close of the succeeding fiscal year.

CODE: Requires nonreversion of the Dairy Survey Program appropriation.

3 20 Sec. 5. 2013 Iowa Acts, chapter 132, section 31, is amended
 3 21 to read as follows:

General Fund appropriation to the DALs for the Local Food and Farm Program.

3 22 SEC. 31. LOCAL FOOD AND FARM PROGRAM. There is appropriated
 3 23 from the general fund of the state to the department of
 3 24 agriculture and land stewardship for the fiscal year beginning
 3 25 July 1, 2014, and ending June 30, 2015, the following amount,
 3 26 or so much thereof as is necessary, to be used for the purposes
 3 27 designated:

DETAIL: Maintains the current level of funding.

3 28 1. For purposes of supporting the local food and farm
 3 29 program pursuant to chapter 267A:

3 30	\$ 37,500
3 31	<u>75,000</u>

3 32 2. The department shall enter into a cost-sharing agreement
 3 33 with Iowa state university to support the local food and farm
 3 34 program coordinator position as part of the university's
 3 35 cooperative extension service in agriculture and home economics
 4 1 pursuant to chapter 267A.

Requires the DALs to have a cost-sharing agreement with ISU to coordinate the Program.

4 2 3. Notwithstanding section 8.33, moneys appropriated in
 4 3 this section that remain unencumbered or unobligated at the
 4 4 close of the fiscal year shall not revert but shall remain
 4 5 available to be used for the purposes designated until the
 4 6 close of the succeeding fiscal year.

CODE: Requires nonreversion of the Local Food and Farm Program appropriation.

4 7 Sec. 6. 2013 Iowa Acts, chapter 132, section 32, is amended
 4 8 to read as follows:

General Fund appropriation to the DALs for the Iowa Future Farmers of America (FFA) Foundation.

4 9 SEC. 32. AGRICULTURAL EDUCATION. There is appropriated
 4 10 from the general fund of the state to the department of
 4 11 agriculture and land stewardship for the fiscal year beginning
 4 12 July 1, 2014, and ending June 30, 2015, the following amount,
 4 13 or so much thereof as is necessary, to be used for the purposes
 4 14 designated:

DETAIL: Maintains the current level of funding.

4 15 1. For purposes of allocating moneys to an Iowa association
 4 16 affiliated with a national organization which promotes
 4 17 agricultural education providing for future farmers:

4 18	\$ 12,500
4 19	<u>25,000</u>

4 20 2. Notwithstanding section 8.33, moneys appropriated for
 4 21 the fiscal year beginning July 1, 2014, in this section that
 4 22 remain unencumbered or unobligated at the close of the fiscal

CODE: Requires nonreversion of the Iowa FFA appropriation.

4 23 year shall not revert but shall remain available to be used
4 24 for the purposes designated until the close of the succeeding
4 25 fiscal year.

4 26 Sec. 7. 2013 Iowa Acts, chapter 132, section 33, is amended
4 27 to read as follows:

4 28 SEC. 33. FARMERS WITH DISABILITIES PROGRAM.

4 29 1. There is appropriated from the general fund of the state
4 30 to the department of agriculture and land stewardship for the
4 31 fiscal year beginning July 1, 2014, and ending June 30, 2015,
4 32 the following amount, or so much thereof as is necessary, to be
4 33 used for the purposes designated:

4 34 For purposes of supporting a program for farmers with
4 35 disabilities:

5 1	.....	\$	65,000
5 2	.....		<u>130,000</u>

5 3 2. The moneys appropriated in subsection 1 shall be used for
5 4 the public purpose of providing a grant to a national nonprofit
5 5 organization with over 80 years of experience in assisting
5 6 children and adults with disabilities and special needs.

5 7 a. The moneys shall be used to support a nationally
5 8 recognized program that began in 1986 and has been replicated
5 9 in at least 30 other states, but which is not available through
5 10 any other entity in this state, and that provides assistance
5 11 to farmers with disabilities in all 99 counties to allow the
5 12 farmers to remain in their own homes and be gainfully engaged
5 13 in farming through provision of agricultural worksite and home
5 14 modification consultations, peer support services, services
5 15 to families, information and referral, and equipment loan
5 16 services.

5 17 b. Notwithstanding section 8.33, moneys appropriated in
5 18 this section that remain unencumbered or unobligated at the
5 19 close of the fiscal year shall not revert but shall remain
5 20 available for expenditure for the purposes designated until the
5 21 close of the succeeding fiscal year.

5 22 DIVISION II
5 23 GENERAL FUND
5 24 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
5 25 WATER QUALITY
5 26 APPROPRIATIONS FOR FY 2014-2015

5 27 Sec. 8. 2013 Iowa Acts, chapter 132, section 34, is amended
5 28 to read as follows:

5 29 SEC. 34. WATER QUALITY INITIATIVE — GENERAL.

5 30 1. There is appropriated from the general fund of the state
5 31 to the department of agriculture and land stewardship for the

General Fund appropriation to the DALs for the Farmers With Disabilities Program. Funds appropriated will be used by the Easter Seals Society of Iowa for the Rural Solutions Program.

DETAIL: Maintains the current level of funding.

CODE: Requires nonreversion of the Farmers With Disabilities Program appropriation.

General Fund appropriation to the DALs for the Water Quality Initiative.

DETAIL: This is an increase of \$2,000,000 and 1.00 FTE position compared to estimated FY 2014.

5 32 fiscal year beginning July 1, 2014, and ending June 30, 2015,
5 33 the following amount, or so much thereof as is necessary, to be
5 34 used for the purposes designated:

5 35	For deposit in the water quality initiative fund created	
6 1	in section 466B.45, as enacted by this Act, for purposes of	
6 2	supporting the water quality initiative administered by the	
6 3	soil conservation division as provided in section 466B.42, as	
6 4	enacted by this Act, including salaries, support, maintenance,	
6 5	miscellaneous purposes, and for not more than the following	
6 6	full-time equivalent positions:	
6 7	.....	\$ 4,400,000
6 8	..... FTEs	4.00
6 9		<u>2.00</u>

6 10 2. a. The moneys appropriated in subsection 1 shall be
6 11 used to support ~~reducing nutrients projects~~ in subwatersheds
6 12 as designated by the division that are part of high-priority
6 13 watersheds identified by the water resources coordinating
6 14 council established pursuant to section 466B.3. ~~In supporting~~
6 15 ~~reducing nutrients~~

Funds will be used to support projects in high-priority watersheds as identified by the Water Resources Coordinating Council.

6 16 b. ~~The moneys appropriated in subsection 1 shall be used to~~
6 17 ~~support projects in watersheds generally, including regional~~
6 18 ~~watersheds, as designated by the division and high-priority~~
6 19 ~~watersheds identified by the water resources coordinating~~
6 20 ~~council established pursuant to section 466B.3.~~

Funding can be used to support high priority watersheds that include regional watersheds designated by the Water Resources Coordinating Council.

6 21 2A. ~~In supporting projects~~ in subwatersheds, ~~the division~~
6 22 ~~shall establish and administer demonstration projects as~~
6 23 ~~follows and watersheds as provided in subsection 2, all of the~~
6 24 ~~following shall apply:~~

Projects in high priority watersheds will meet the following criteria:

- 6 25 a. The demonstration projects shall utilize water quality
6 26 practices as described in the latest revision of the document
6 27 entitled "Iowa Nutrient Reduction Strategy" initially presented
6 28 in November 2012 by the department of agriculture and land
6 29 stewardship, the department of natural resources, and Iowa
6 30 state university of science and technology.
- 6 31 b. The division shall implement demonstration projects as
6 32 provided in paragraph "a" by providing for participation by
6 33 persons who hold a legal interest in agricultural land used in
6 34 farming. To every extent practical, the division shall provide
6 35 for collaborative participation by such persons who hold a
7 1 legal interest in agricultural land located within the same
7 2 subwatershed.
- 7 3 c. The division shall implement a demonstration project on
7 4 a cost-share basis as determined by the division. However, the
7 5 state's share of the amount shall not exceed 50 percent of the
7 6 estimated cost of establishing the practice as determined by

- Requires projects under this Section to utilize water quality practices described in the latest version of the Iowa Nutrient Reduction Strategy.
- Requires the DALs to collaborate with agricultural landowners in targeted watersheds.
- Prohibits the State's cost share amount of water quality protection practices from exceeding 50.00% of the value of the practices.
- Requires demonstration projects to educate the public about water quality practices.
- Requires the DALs to conduct water quality evaluations within targeted watersheds and to create a database of water quality practices. All information received is a confidential record and exempted from public access.

7 7 the division or 50 percent of the actual cost of establishing
 7 8 the practice, whichever is less.
 7 9 d. The demonstration projects shall be used to educate other
 7 10 persons about the feasibility and value of establishing similar
 7 11 water quality practices. The division shall promote field day
 7 12 events for purposes of allowing interested persons to establish
 7 13 water quality practices on their agricultural land.
 7 14 e. The division shall conduct water quality evaluations
 7 15 within supported subwatersheds. Within a reasonable period
 7 16 after accumulating information from such evaluations,
 7 17 the division shall create an aggregated database of water
 7 18 quality practices. Any information ~~identifying a person~~
 7 19 ~~holding a legal interest in agricultural land or specific~~
 7 20 ~~agricultural land shall be a confidential record under section~~
 7 21 ~~22-7 received, collected, or held under this section is a~~
 7 22 ~~confidential record and is exempted from public access pursuant~~
 7 23 ~~to section 466B.49 as enacted by this 2014 Act.~~

7 24 3. The moneys appropriated in subsection 1 shall be used
 7 25 to support education and outreach in a manner that encourages
 7 26 persons who hold a legal interest in agricultural land used for
 7 27 farming to implement water quality practices, including the
 7 28 establishment of such practices in watersheds generally, and
 7 29 not limited to subwatersheds or high-priority watersheds.

Requires the DALs to support education and outreach to encourage agricultural producers to establish water quality practices.

7 30 4. The moneys appropriated in subsection 1 may be used
 7 31 to contract with persons to coordinate the implementation of
 7 32 efforts provided in this section. ~~Not more than \$150,000 shall~~
 7 33 ~~be used to support the administration of this section by a~~
 7 34 ~~full-time equivalent position.~~

Allows the DALs to use funds for contracts that will assist with the implementation of the Water Quality Initiative and removes the previously enacted cap of \$150,000.

7 35 4A. The moneys appropriated in subsection 1 may be used by
 8 1 the department to support urban soil and water conservation
 8 2 efforts, which may include but are not limited to management
 8 3 practices related to bioretention, landscaping, the use of
 8 4 permeable pavement, and soil quality restoration. The moneys
 8 5 shall be allocated on a cost-share basis as provided in chapter
 8 6 161A.

Allows the DALs to use funds to support urban soil and water conservation practices.

8 7 5. Notwithstanding any other provision of law to the
 8 8 contrary, the department may use moneys appropriated in
 8 9 subsection 1 to carry out the provisions of this section on a
 8 10 cost-share basis in combination with other moneys appropriated
 8 11 available to the department from the environment first
 8 12 fund created in section 8.57A for cost sharing to match the
 8 13 United States department of agriculture, natural resources
 8 14 conservation service, wetland reserve enhancement program a
 8 15 state or federal source.

Allows the DALs to use funds as cost-share money for other projects that use other State or federal funds.

8 16 Sec. 9. 2013 Iowa Acts, chapter 132, section 35, is amended
8 17 to read as follows:

8 18 SEC. 35. IOWA NUTRIENT RESEARCH CENTER.

8 19 1. There is appropriated from the general fund of the state
8 20 to Iowa State University of Science and Technology for the
8 21 fiscal year beginning July 1, 2014, and ending June 30, 2015,
8 22 the following amount, or so much thereof as is necessary, to be
8 23 used for the purposes designated:

8 24 For purposes of supporting an Iowa Nutrient Research Center
8 25 as established in section 466B.47, as enacted in this Act:

8 26\$ 750,000
8 27 1,500,000

General Fund appropriation to Iowa State University for an Iowa Nutrient Research Center.

DETAIL: Maintains current level of funding.

8 28 2. Notwithstanding section 8.33, moneys appropriated in
8 29 this section that remain unencumbered or unobligated at the
8 30 close of the fiscal year shall not revert but shall remain
8 31 available for expenditure for the purposes designated until the
8 32 close of the fiscal year beginning July 1, 2015.

CODE: Requires nonreversion of funds appropriated for the Iowa Nutrient Research Center until the close of FY 2015.

8 33 DIVISION III
8 34 DEPARTMENT OF NATURAL RESOURCES
8 35 GENERAL APPROPRIATIONS FOR FY 2014-2015

9 1 Sec. 10. 2013 Iowa Acts, chapter 132, section 37, is amended
9 2 to read as follows:

9 3 SEC. 37. GENERAL FUND — DEPARTMENT.

9 4 1. There is appropriated from the general fund of the state
9 5 to the department of natural resources for the fiscal year
9 6 beginning July 1, 2014, and ending June 30, 2015, the following
9 7 amount, or so much thereof as is necessary, to be used for the
9 8 purposes designated:

9 9 For purposes of supporting the department, including its
9 10 divisions, for administration, regulation, and programs; for
9 11 salaries, support, maintenance, and miscellaneous purposes; and
9 12 for not more than the following full-time equivalent positions:

9 13\$ 6,383,350
9 14 12,862,307
9 15 FTEs 1,145.95

General Fund appropriation to the DNR for operations.

DETAIL: Maintains the current level of funding and provides an increase of 36.00 FTE positions for operations.

9 16 2. Of the number of full-time equivalent positions
9 17 authorized to the department pursuant to subsection 1, 50.00
9 18 full-time equivalent positions shall be allocated by the
9 19 department for seasonal employees for purposes of providing
9 20 maintenance, upkeep, and sanitary services at state parks.
9 21 This subsection shall not impact park ranger positions within
9 22 the department.

Requires the DNR to allocate 50.00 FTE positions for State Park operations for maintenance and upkeep.

9 23 3. The department shall submit a report each quarter of the

Requires the DNR to submit a quarterly report to the LSA, the DOM,

9 24 fiscal year to the legislative services agency, the department
 9 25 of management, the members of the joint appropriations
 9 26 subcommittee on agriculture and natural resources, and the
 9 27 chairpersons and ranking members of the senate and house
 9 28 committees on appropriations. The report shall describe in
 9 29 detail the expenditure of moneys appropriated under this
 9 30 section to support the department's administration, regulation,
 9 31 and programs.

the members of the Agriculture and Natural Resources Appropriations Subcommittee, and the Chairs and Ranking Members of the Appropriations Committees detailing the expenditures of the money appropriated.

9 32 Sec. 11. 2013 Iowa Acts, chapter 132, section 38, is amended
 9 33 to read as follows:

State Fish and Game Protection Fund appropriation to the Law Enforcement, Fisheries, and Wildlife Divisions of the DNR.

9 34 SEC. 38. STATE FISH AND GAME PROTECTION FUND — REGULATION
 9 35 AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

DETAIL: Maintains the current level of funding.

10 1 1. There is appropriated from the state fish and game
 10 2 protection fund to the department of natural resources for the
 10 3 fiscal year beginning July 1, 2014, and ending June 30, 2015,
 10 4 the following amount, or so much thereof as is necessary, to be
 10 5 used for the purposes designated:

10 6 For purposes of supporting the regulation or advancement of
 10 7 hunting, fishing, or trapping, or the protection, propagation,
 10 8 restoration, management, or harvest of fish or wildlife,
 10 9 including for administration, regulation, law enforcement, and
 10 10 programs; and for salaries, support, maintenance, equipment,
 10 11 and miscellaneous purposes:

10 12 \$ 20,539,117
 10 13 41,223,225

10 14 2. Notwithstanding section 455A.10, the department may use
 10 15 the unappropriated balance remaining in the state fish and game
 10 16 protection fund to provide for the funding of health and life
 10 17 insurance premium payments from unused sick leave balances of
 10 18 conservation peace officers employed in a protection occupation
 10 19 who retire, pursuant to section 97B.49B.

CODE: Permits the DNR to use unappropriated funds from the Fish and Game Protection Fund to provide compensation to retiring conservation officers, including payment of insurance premiums from unused sick leave.

10 20 3. Notwithstanding section 455A.10, the department of
 10 21 natural resources may use the unappropriated balance remaining
 10 22 in the state fish and game protection fund for the fiscal
 10 23 year beginning July 1, 2014, and ending June 30, 2015, as is
 10 24 necessary to fund salary adjustments for departmental employees
 10 25 which the general assembly has made an operating budget
 10 26 appropriation for in subsection 1.

CODE: Permits the DNR to use unappropriated funds from the Fish and Game Protection Fund for FY 2015 salary increases.

10 27 Sec. 12. 2013 Iowa Acts, chapter 132, section 39, is amended
 10 28 to read as follows:

Groundwater Protection Fund appropriation to the DNR for programs specified in Iowa Code section 455E.11. These include:

10 29 SEC. 39. GROUNDWATER PROTECTION FUND — WATER QUALITY.

10 30 There is appropriated from the groundwater protection fund
 10 31 created in section 455E.11 to the department of natural
 10 32 resources for the fiscal year beginning July 1, 2014,

- \$100,303 for the Storage Tanks Study.
- \$447,324 for the Household Hazardous Waste Program.
- \$62,461 for administration of the Private Well Testing Program.

10 33 and ending June 30, 2015, from those moneys which are not
 10 34 allocated pursuant to that section, the following amount, or
 10 35 so much thereof as is necessary, to be used for the purposes
 11 1 designated:
 11 2 For purposes of supporting the department's protection
 11 3 of the state's groundwater, including for administration,
 11 4 regulation, and programs, and for salaries, support,
 11 5 maintenance, equipment, and miscellaneous purposes:
 11 6 \$ 1,727,916
 11 7 3,455,832

- \$1,686,751 for Groundwater Monitoring.
- \$618,993 for the Landfill Alternatives Program.
- \$192,500 for the Waste Reduction and Assistance Program.
- \$297,500 for the Geographic Information System Program.
- \$50,000 for the Solid Waste Authorization Program.

DETAIL: Maintains the current level of funding.

11 8 DESIGNATED APPROPRIATIONS
 11 9 MISCELLANEOUS FUNDS

11 10 Sec. 13. 2013 Iowa Acts, chapter 132, section 40, is amended
 11 11 to read as follows:
 11 12 SEC. 40. SPECIAL SNOWMOBILE FUND — SNOWMOBILE PROGRAM.
 11 13 There is appropriated from the special snowmobile fund created
 11 14 under section 321G.7 to the department of natural resources for
 11 15 the fiscal year beginning July 1, 2014, and ending June 30,
 11 16 2015, the following amount, or so much thereof as is necessary,
 11 17 to be used for the purpose designated:
 11 18 For purposes of administering and enforcing the state
 11 19 snowmobile programs:
 11 20 \$ 50,000
 11 21 100,000

Snowmobile Fund appropriation to the DNR.

DETAIL: Maintains the current level of funding.

11 22 Sec. 14. 2013 Iowa Acts, chapter 132, section 41, is amended
 11 23 to read as follows:
 11 24 SEC. 41. UNASSIGNED REVENUE FUND — UNDERGROUND STORAGE
 11 25 TANK SECTION EXPENSES. There is appropriated from the
 11 26 unassigned revenue fund administered by the Iowa comprehensive
 11 27 underground storage tank fund board to the department of
 11 28 natural resources for the fiscal year beginning July 1, 2014,
 11 29 and ending June 30, 2015, the following amount, or so much
 11 30 thereof as is necessary, to be used for the purpose designated:
 11 31 For purposes of paying for administration expenses of the
 11 32 department's underground storage tank section:
 11 33 \$ 100,000
 11 34 200,000

Underground Storage Tank (UST) Fund appropriation to the DNR.

DETAIL: Maintains the current level of funding. The funds are used for administration of the UST Program.

11 35 SPECIAL APPROPRIATIONS
 12 1 GENERAL FUND

12 2 Sec. 15. 2013 Iowa Acts, chapter 132, section 42, is amended
12 3 to read as follows:

12 4 SEC. 42. FLOODPLAIN MANAGEMENT AND DAM SAFETY.

12 5 1. There is appropriated from the general fund of the state
12 6 to the department of natural resources for the fiscal year
12 7 beginning July 1, 2014, and ending June 30, 2015, the following
12 8 amount, or so much thereof as is necessary, to be used for the
12 9 purpose designated:

12 10 For purposes of supporting floodplain management and dam
12 11 safety:

12 12 \$ 1,000,000
12 13 2,000,000

12 14 2. Of the amount appropriated in subsection 1, up to
12 15 ~~\$340,000~~ \$400,000 may be used by the department to acquire or
12 16 install stream gages for purposes of tracking and predicting
12 17 flood events and for compiling necessary data to improve flood
12 18 frequency analysis.

12 19 3. Notwithstanding section 8.33, moneys appropriated in
12 20 subsection 1 that remain unencumbered or unobligated at the
12 21 close of the fiscal year shall not revert but shall remain
12 22 available for expenditure for the purposes designated until the
12 23 close of the succeeding fiscal year.

12 24 Sec. 16. 2013 Iowa Acts, chapter 132, section 43, is amended
12 25 to read as follows:

12 26 SEC. 43. FORESTRY HEALTH MANAGEMENT.

12 27 1. There is appropriated from the general fund of the state
12 28 to the department of natural resources for the fiscal year
12 29 beginning July 1, 2014, and ending June 30, 2015, the following
12 30 amount, or so much thereof as is necessary, to be used for the
12 31 purposes designated:

12 32 For purposes of providing for forestry health management
12 33 programs:

12 34 \$ 100,000
12 35 200,000

13 1 2. Notwithstanding section 8.33, moneys appropriated in
13 2 this section that remain unencumbered or unobligated at the
13 3 close of the fiscal year shall not revert but shall remain
13 4 available to be used for the purposes designated until the
13 5 close of the succeeding fiscal year.

13 6 Sec. 17. 2013 Iowa Acts, chapter 132, section 44, is amended
13 7 to read as follows:

13 8 SEC. 44. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND.

13 9 1. There is transferred from the general fund of the state

General Fund appropriation to the DNR for the Floodplain Management and Dam Safety Program.

DETAIL: Maintains the current level of funding.

Allocates up to \$400,000 for the implementation of stream gauges that assist with predicting flood events.

CODE: Requires nonreversion of the Floodplain Management and Dam Safety Program appropriation.

General Fund appropriation to the DNR for the Forestry Health Management Program.

DETAIL: Maintains the current level of funding.

CODE: Requires nonreversion of the Forestry Health Management appropriation.

General Fund appropriation to the Loess Hills Development and Conservation Fund.

DETAIL: Maintains the current level of funding. The General Fund

13 10 to the loess hills development and conservation fund created in
 13 11 section 161D.2 for the fiscal year beginning July 1, 2014, and
 13 12 ending June 30, 2015, the following amount, or so much thereof
 13 13 as is necessary, to be used for the purposes designated:
 13 14 For supporting the purposes of the fund:
 13 15\$ 37,500
 13 16 75,000

appropriation is in addition to \$800,000 from the EFF. This brings total funding for the Loess Hills Alliance to \$875,000.

13 17 2. a. Of the amount transferred in subsection 1, ~~\$28,125~~
 13 18 \$56,250 shall be allocated to the fund's hungry canyons
 13 19 account.

Allocates \$56,250 to the Hungry Canyons Program. Funds are used for stabilization projects.

DETAIL: These funds are in addition to \$600,000 from the EFF and total funding is \$656,250.

13 20 b. Not more than 10 percent of the moneys allocated to the
 13 21 hungry canyons account as provided in paragraph "a" may be used
 13 22 for administrative costs.

Prohibits the Hungry Canyons Program from using more than 10.00% of the funds appropriated from the General Fund for administration and implementation of soil and water conservation practices.

13 23 3. a. Of the amount transferred in subsection 1, ~~\$9,375~~
 13 24 \$18,750 shall be allocated to the fund's loess hills alliance
 13 25 account.

Allocates \$18,750 to the Loess Hills Alliance Account.

DETAIL: These funds are in addition to the to the \$200,000 from the EFF and total funding is \$218,750.

13 26 b. Not more than 10 percent of the moneys allocated to the
 13 27 loess hills alliance account as provided in paragraph "a" may
 13 28 be used for administrative costs.

Prohibits the Loess Hills Alliance from using more than 10.00% of the funds for administrative costs.

13 29 4. Moneys deposited to the loess hills development and
 13 30 conservation fund and its accounts for the fiscal year are
 13 31 appropriated to the authority to be used as provided by law.

Requires funds appropriated to the Loess Hills Development and Conservation Fund to be used as directed in statute.

13 32 DIVISION IV
 13 33 IOWA STATE UNIVERSITY
 13 34 SPECIAL GENERAL FUND APPROPRIATION FOR FY 2014-2015

13 35 Sec. 18. 2013 Iowa Acts, chapter 132, section 45, is amended
 14 1 to read as follows:

General Fund appropriation to ISU for operations at the Veterinary Diagnostic Laboratory.

14 2 SEC. 45. VETERINARY DIAGNOSTIC LABORATORY.

14 3 1. There is appropriated from the general fund of the state
 14 4 to Iowa state university of science and technology for the
 14 5 fiscal year beginning July 1, 2014, and ending June 30, 2015,
 14 6 the following amount, or so much thereof as is necessary, to be
 14 7 used for the purposes designated:

DETAIL: This is an increase of \$237,364 and a decrease of 6.04 FTE positions for operations.

14 8 For purposes of supporting the college of veterinary
 14 9 medicine for the operation of the veterinary diagnostic
 14 10 laboratory and for not more than the following full-time
 14 11 equivalent positions:

14 12	.....	\$	1,881,318
14 13			<u>4,000,000</u>
14 14	.....	FTEs	50.00
14 15			<u>51.00</u>

14 16 2. a. Iowa state university of science and technology
 14 17 shall not reduce the amount that it allocates to support the
 14 18 college of veterinary medicine from any other source due to the
 14 19 appropriation made in this section.

Prohibits ISU from reducing other funding sources to the Veterinary Diagnostic Laboratory.

14 20 b. Paragraph "a" does not apply to a reduction made to
 14 21 support the college of veterinary medicine, if the same
 14 22 percentage of reduction imposed on the college of veterinary
 14 23 medicine is also imposed on all of Iowa state university's
 14 24 budget units.

Allows ISU to reduce funding to the College of Veterinary Medicine if the same percentage is applied to other ISU budget units.

14 25 3. If by June 30, 2015, Iowa state university of science and
 14 26 technology fails to allocate the moneys appropriated in this
 14 27 section to the college of veterinary medicine in accordance
 14 28 with this section, the moneys appropriated in this section for
 14 29 that fiscal year shall revert to the general fund of the state.

Requires reversion of the Veterinarian Diagnostic Laboratory appropriation if the money is not allocated to the College of Veterinary Medicine.

14 30 DIVISION V
 14 31 ENVIRONMENT FIRST FUND
 14 32 GENERAL APPROPRIATIONS FOR FY 2014-2015

14 33 Sec. 19. 2013 Iowa Acts, chapter 132, section 47, is amended
 14 34 to read as follows:

The total EFF appropriations equal \$42,000,000 and this maintains the current level of funding. Provides EFF appropriations to the DALs for FY 2015 of \$15,000,000.

14 35 SEC. 47. DEPARTMENT OF AGRICULTURE AND LAND
 15 1 STEWARDSHIP. There is appropriated from the environment first
 15 2 fund created in section 8.57A to the department of agriculture
 15 3 and land stewardship for the fiscal year beginning July 1,
 15 4 2014, and ending June 30, 2015, the following amounts, or so
 15 5 much thereof as is necessary, to be used for the purposes
 15 6 designated:

15 7 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

Environment First Fund appropriation to the DALs for the Conservation Reserve Enhancement Program.

15 8 a. For the conservation reserve enhancement program to
 15 9 restore and construct wetlands for the purposes of intercepting
 15 10 tile line runoff, reducing nutrient loss, improving water
 15 11 quality, and enhancing agricultural production practices:

DETAIL: Maintains the current level of funding.

15 12	.....	\$	500,000
15 13			<u>1,000,000</u>

15 14 b. Not more than 10 percent of the moneys appropriated
 15 15 in paragraph "a" may be used for costs of administration and
 15 16 implementation of soil and water conservation practices.

Prohibits the DALs from using more than 10.00% of the funds appropriated from the EFF for administration and implementation of soil and water conservation practices.

15 17 c. Notwithstanding any other provision in law, the
 15 18 department may provide state resources from this appropriation,
 15 19 in combination with other appropriate environment first
 15 20 fund appropriations, for cost sharing to match United States
 15 21 department of agriculture, natural resources conservation
 15 22 service, wetlands reserve enhancement program (WREP) funding
 15 23 available to Iowa.

Permits the DALs to use the EFF appropriation as cost share funds to provide match for federal Natural Resources Conservation Services Wetland Reserve Enhancement Program funds.

15 24 2. WATERSHED PROTECTION

Environment First Fund appropriation to the DALs for the Watershed Protection Program.

15 25 a. For continuation of a program that provides
 15 26 multiobjective resource protections for flood control, water
 15 27 quality, erosion control, and natural resource conservation:
 15 28 \$ 450,000
 15 29 900,000

DETAIL: Maintains the current level of funding.

15 30 b. Not more than 10 percent of the moneys appropriated
 15 31 in paragraph "a" may be used for costs of administration and
 15 32 implementation of soil and water conservation practices.

Prohibits the DALs from using more than 10.00% of the funds appropriated from the EFF for administration and implementation of soil and water conservation practices.

15 33 3. FARM MANAGEMENT DEMONSTRATION PROGRAM

Environment First Fund appropriation to the DALs for the Farm Management Demonstration Program

15 34 a. For continuation of a statewide voluntary farm
 15 35 management demonstration program to demonstrate the
 16 1 effectiveness and adaptability of emerging practices in
 16 2 agronomy that protect water resources and provide other
 16 3 environmental benefits:
 16 4 \$ 312,500
 16 5 625,000

DETAIL: Maintains the current level of funding.

16 6 b. Not more than 10 percent of the moneys appropriated
 16 7 in paragraph "a" may be used for costs of administration and
 16 8 implementation of soil and water conservation practices.

Prohibits the DALs from using more than 10.00% of the funds appropriated from the EFF for administration and implementation of soil and water conservation practices.

16 9 c. Of the amount appropriated in paragraph "a", ~~\$200,000~~
 16 10 ~~\$400,000~~ shall be allocated to an organization representing
 16 11 soybean growers to provide for an agriculture and environment
 16 12 performance program in order to carry out the purposes of this
 16 13 subsection as specified in paragraph "a".

Allocates \$400,000 to the Iowa Soybean Association's Agriculture and Environment Performance Program.

16 14 4. SOIL AND WATER CONSERVATION — ADMINISTRATION

Environment First Fund appropriation to the DALs for soil and water conservation administration.

16 15 For use by the department for costs of administration and
 16 16 implementation of soil and water conservation practices:
 16 17 \$ 1,275,000
 16 18 2,550,000

DETAIL: Maintains the current level of funding.

16 19 5. CONSERVATION RESERVE PROGRAM (CRP)

Environment First Fund appropriation to the DALs for the Conservation Reserve Program.

16 20 a. To encourage and assist farmers in enrolling in and the
 16 21 implementation of the federal conservation reserve program and

16 22 to work with them to enhance their revegetation efforts to
 16 23 improve water quality and habitat:
 16 24\$ 500,000
 16 25 1,000,000

DETAIL: Maintains the current level of funding.

16 26 b. Not more than 10 percent of the moneys appropriated
 16 27 in paragraph "a" may be used for costs of administration and
 16 28 implementation of soil and water conservation practices.

Prohibits the DALs from using more than 10.00% of the funds appropriated from the EFF for administration and implementation of soil and water conservation practices.

16 29 6. SOIL AND WATER CONSERVATION

Environment First Fund appropriation to the DALs for the Soil and Water Conservation Program.

16 30 a. For use by the department in providing for soil and
 16 31 water conservation administration, the conservation of soil and
 16 32 water resources, or the support of soil and water conservation
 16 33 district commissioners:
 16 34\$ 3,325,000
 16 35 7,375,000

DETAIL: This is an increase of \$725,000 compared to estimated FY 2014.

17 1 b. Not more than 5 percent of the moneys appropriated in
 17 2 paragraph "a" may be allocated for cost sharing to address
 17 3 complaints filed under section 161A.47.

Permits the DALs to use up to 5.00% of the appropriated funds to abate complaints filed for land erosion caused by sediment.

17 4 c. Of the moneys appropriated in paragraph "a", 5 percent
 17 5 shall be allocated for financial incentives to establish
 17 6 practices to protect watersheds above publicly owned lakes of
 17 7 the state from soil erosion and sediment as provided in section
 17 8 161A.73.

Requires 5.00% of cost share funds to be used for financial incentives to establish practices to protect watersheds above publicly owned lakes from soil erosion and sediment.

17 9 d. Not more than 30 percent of a soil and water conservation
 17 10 district's allocation of moneys as financial incentives may be
 17 11 provided for the purpose of establishing management practices
 17 12 to control soil erosion on land that is row cropped, including
 17 13 but not limited to no-till planting, ridge-till planting,
 17 14 contouring, and contour strip-cropping as provided in section
 17 15 161A.73.

Prohibits use of more than 30.00% of a soil and water conservation district's allocation for management practices to control soil erosion on land that is row-cropped.

17 16 e. The state soil conservation committee established by
 17 17 section 161A.4 may allocate moneys appropriated in paragraph
 17 18 "a" to conduct research and demonstration projects to promote
 17 19 conservation tillage and nonpoint source pollution control
 17 20 practices.

Permits the State Soil Conservation Committee to allocate funds for research and demonstration projects to promote conservation tillage and nonpoint source pollution control practices.

17 21 f. The allocation of moneys as financial incentives as
 17 22 provided in section 161A.73 may be used in combination with
 17 23 moneys allocated by the department of natural resources.

Permits financial incentive payments to be used in combination with funds from the DNR.

17 24 g. Not more than 15 percent of the moneys appropriated
 17 25 in paragraph "a" may be used for costs of administration and
 17 26 implementation of soil and water conservation practices.

Prohibits use of more than 15.00% of the cost share funds for administration and costs associated with the implementation of soil and water conservation practices.

<p>17 27 h. In lieu of moneys appropriated in section 466A.5, 17 28 not more than \$25,000 <u>\$50,000</u> of the moneys appropriated in 17 29 paragraph "a" shall be used by the soil conservation division 17 30 of the department of agriculture and land stewardship to 17 31 provide administrative support to the watershed improvement 17 32 review board established in section 466A.3.</p>	<p>Allocates up to \$50,000 for administration of the Watershed Improvement Review Board.</p>				
<p>17 33 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND 17 34 a. For deposit in the loess hills development and 17 35 conservation fund created in section 161D.2:</p> <table border="0" style="margin-left: 20px;"> <tr> <td style="border-top: 1px dotted black; width: 150px;"></td> <td style="text-align: right; border-top: 1px dotted black;">\$ 262,500</td> </tr> <tr> <td style="border-bottom: 1px dotted black;"></td> <td style="text-align: right; border-bottom: 1px dotted black;"><u>800,000</u></td> </tr> </table> <p>18 3 b. (1) Of the amount appropriated in paragraph "a", 18 4 \$196,875 <u>\$600,000</u> shall be allocated to the fund's hungry 18 5 canyons account.</p>		\$ 262,500		<u>800,000</u>	<p>Environment First Fund appropriation to the DALs for the Loess Hills Development and Conservation Fund.</p> <p>DETAIL: This is an increase of \$275,000 compared to estimated FY 2014.</p> <p>Allocates \$600,000 to the Hungry Canyons Program. Funds are used for stabilization projects.</p> <p>DETAIL: This is an increase of \$206,250 compared to estimated FY 2014.</p>
	\$ 262,500				
	<u>800,000</u>				
<p>18 6 (2) Not more than 10 percent of the moneys allocated to the 18 7 hungry canyons account as provided in subparagraph (1) may be 18 8 used for administrative costs.</p>	<p>Prohibits the Hungry Canyons Program from using more than 10.00% of the funds appropriated from the EFF for administration and implementation of soil and water conservation practices.</p>				
<p>18 9 c. (1) Of the amount appropriated in paragraph "a", \$65,625 18 10 <u>\$200,000</u> shall be allocated to the fund's loess hills alliance 18 11 account.</p>	<p>Allocates \$200,000 to the Loess Hills Alliance. Funds are used for projects that protect the Loess Hills.</p> <p>DETAIL: This is an increase of \$68,750 compared to estimated FY 2014.</p>				
<p>18 12 (2) Not more than 10 percent of the moneys allocated to the 18 13 loess hills alliance account as provided in subparagraph (1) 18 14 may be used for administrative costs.</p>	<p>Prohibits the Loess Hills Alliance from using more than 10.00% of the funds for administrative costs.</p>				
<p>18 15 <u>8. AGRICULTURAL DRAINAGE WELL WATER QUALITY ASSISTANCE FUND</u> 18 16 <u>For deposit in the agricultural drainage well water quality</u> 18 17 <u>assistance fund created in section 460.303 to be used for</u> 18 18 <u>purposes of supporting the agricultural drainage well water</u> 18 19 <u>quality assistance program as provided in section 460.304:</u> 18 20 \$ <u>550,000</u></p>	<p>Environment First Fund appropriation to the DALs for the Agricultural Drainage Well Water Quality Assistance Fund.</p> <p>DETAIL: This is an increase of \$550,000 compared to estimated FY 2014.</p>				
<p>18 21 <u>9. SILOS AND SMOKESTACKS</u> 18 22 <u>For purposes of supporting the silos and smokestacks</u> 18 23 <u>national heritage area to provide continued agricultural</u></p>	<p>Environment First Fund appropriation for the Silos and Smokestacks National Heritage Area (SSNHA).</p>				

18 24	<u>education and preservation:</u>				
18 25	.....	\$	200,000		DETAIL: This is a new appropriation. The SSNHA was designated in 1996 by the federal government and included the farms and industries that comprise agribusiness. This Area covers the northeast portion of Iowa and includes 37 counties and the cities of Des Moines, Cedar Rapids, Davenport, Waterloo, Dubuque, and Iowa City.
18 26	Sec. 20. 2013 Iowa Acts, chapter 132, section 48, is amended				Provides EFF appropriations to the DNR for FY 2015 of \$27,000,000.
18 27	to read as follows:				
18 28	SEC. 48. DEPARTMENT OF NATURAL RESOURCES. There is				
18 29	appropriated from the environment first fund created in section				
18 30	8.57A to the department of natural resources for the fiscal				
18 31	year beginning July 1, 2014, and ending June 30, 2015, the				
18 32	following amounts, or so much thereof as is necessary, to be				
18 33	used for the purposes designated:				
18 34	1. KEEPERS OF THE LAND				Environment First Fund appropriation to the DNR for the Keepers of the Land Program.
18 35	For statewide coordination of volunteer efforts under the				
19 1	water quality and keepers of the land programs:				
19 2	.....	\$	50,000		DETAIL: Maintains the current level of funding.
19 3			100,000		
19 4	2. STATE PARKS MAINTENANCE AND OPERATIONS				Environment First Fund appropriation to the DNR for the State Park Maintenance and Operations Program.
19 5	For regular maintenance <u>and operations</u> of state parks and				
19 6	staff time associated with these activities:				
19 7	.....	\$	3,180,000		DETAIL: This is a decrease of \$1,750,000 compared to estimated FY 2014.
19 8			4,610,000		
19 9	3. GEOGRAPHIC INFORMATION SYSTEM (GIS)				Environment First Fund appropriation to the DNR for the Geographic Information System (GIS) Program.
19 10	To provide local watershed managers with geographic				
19 11	information system data for their use in developing,				
19 12	monitoring, and displaying results of their watershed work:				DETAIL: Maintains the current level of funding.
19 13	.....	\$	97,500		
19 14			195,000		
19 15	4. WATER QUALITY MONITORING				Environment First Fund appropriation to the DNR for the Water Quality Monitoring Program.
19 16	For continuing the establishment and operation of water				
19 17	quality monitoring stations:				
19 18	.....	\$	1,477,500		DETAIL: Maintains the current level of funding.
19 19			2,955,000		
19 20	5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT				Environment First Fund appropriation to the DNR for the Public Water Supply System Account in the Water Quality Protection Fund.
19 21	For deposit in the public water supply system account of the				
19 22	water quality protection fund created in section 455B.183A:				
19 23	.....	\$	250,000		DETAIL: Maintains the current level of funding.
19 24			500,000		
19 25	6. REGULATION OF ANIMAL FEEDING OPERATIONS				Environment First Fund appropriation to the DNR for the Animal

19 26 For the regulation of animal feeding operations, including
 19 27 as provided for in chapters 459 through 459B:
 19 28\$ 660,000
 19 29 1,320,000

Feeding Operations Program.
 DETAIL: Maintains the current level of funding.

19 30 7. AMBIENT AIR QUALITY
 19 31 For the abatement, control, and prevention of ambient
 19 32 air pollution in this state, including measures as necessary
 19 33 to assure attainment and maintenance of ambient air quality
 19 34 standards from particulate matter:
 19 35\$ 212,500
 20 1 425,000

Environment First Fund appropriation to the DNR for the Ambient Air
 Quality Program.
 DETAIL: Maintains the current level of funding.

20 2 8. WATER QUANTITY REGULATION
 20 3 For regulating water quantity from surface and subsurface
 20 4 sources by providing for the allocation and use of water
 20 5 resources, the protection and management of water resources,
 20 6 and the preclusion of conflicts among users of water resources,
 20 7 including as provided in chapter 455B, division III, part 4:
 20 8\$ 247,500
 20 9 495,000

Environment First Fund appropriation to the DNR for the Water
 Quantity Program.
 DETAIL: Maintains the current level of funding.

20 10 9. GEOLOGICAL AND WATER SURVEY
 20 11 For continuing the operations of the department's geological
 20 12 and water survey including but not limited to providing
 20 13 analysis, data collection, investigative programs, and
 20 14 information for water supply development and protection:
 20 15\$ 400,000
 20 16 200,000

Environment First Fund appropriation to the DNR for the Geological
 and Water Survey Program.
 DETAIL: Maintains the current level of funding.

20 17 10. KEEP IOWA BEAUTIFUL INITIATIVE
 20 18 For purposes of supporting a keep iowa beautiful initiative
 20 19 in order to assist communities in developing and implementing
 20 20 beautification and community development plans:
 20 21\$ 400,000
 20 22 200,000

Environment First Fund appropriation to the DNR for the Keep Iowa
 Beautiful Initiative.
 DETAIL: Maintains the current level of funding.

20 23 Sec. 21. 2013 Iowa Acts, chapter 132, section 49, is amended
 20 24 to read as follows:

20 25 SEC. 49. REVERSION.
 20 26 1. Notwithstanding Except as provided in subsection 2,
 20 27 and notwithstanding section 8.33, moneys appropriated for the
 20 28 fiscal year beginning July 1, 2014, in this division of this
 20 29 Act that remain unencumbered or unobligated at the close of the
 20 30 fiscal year shall not revert but shall remain available to be
 20 31 used for the purposes designated until the close of the fiscal
 20 32 year beginning July 1, 2015, or until the project for which the

CODE: Specifies that appropriations from the EFF will not revert until
 the close of the FY 2016, or when a specific project is completed.

20 33 appropriation was made is completed, whichever is earlier.

20 34 2. Notwithstanding section 8.33, moneys appropriated for
20 35 the fiscal year beginning July 1, 2014, in this division of
21 1 this Act to the department of agriculture and land stewardship
21 2 to provide financial assistance for the establishment of
21 3 permanent soil and water conservation practices that remain
21 4 unencumbered or unobligated at the close of the fiscal year
21 5 shall not revert but shall remain available for expenditure
21 6 for the purposes designated until the close of the fiscal year
21 7 beginning July 1, 2017.

CODE: Requires nonreversion of appropriations for the Soil and Water Conservation Cost Share Program from the EFF until the close of the FY 2018.

21 8 DIVISION VI
21 9 ENVIRONMENT FIRST FUND
21 10 SPECIAL APPROPRIATION FOR FY 2014-2015

21 11 Sec. 22. 2013 Iowa Acts, chapter 132, is amended by adding
21 12 the following new section:
21 13 NEW SECTION SEC. 64. REAP — IN LIEU OF GENERAL FUND
21 14 APPROPRIATION. Notwithstanding the amount of the standing
21 15 appropriation from the general fund of the state to the Iowa
21 16 resources enhancement and protection fund as provided in
21 17 section 455A.18, there is appropriated from the environment
21 18 first fund created in section 8.57A to the Iowa resources
21 19 enhancement and protection fund, in lieu of the appropriation
21 20 made in section 455A.18, for the fiscal year beginning July 1,
21 21 2014, and ending June 30, 2015, the following amount, to be
21 22 allocated as provided in section 455A.19:
21 23 \$ 16,000,000

Environment First Fund appropriation to the Resources Enhancement and Protection (REAP) Fund.

DETAIL: Notwithstands the \$20,000,000 standing General Fund appropriation and appropriates \$16,000,000 from the EFF to REAP. Maintains the current level of funding.

21 24 DIVISION VII
21 25 SOIL AND WATER CONSERVATION PRACTICES
21 26 REVERSION OF APPROPRIATIONS FOR FY 2013-2014

21 27 Sec. 23. 2013 Iowa Acts, chapter 132, section 25, is amended
21 28 to read as follows:
21 29 SEC. 25. REVERSION.
21 30 1. Notwithstanding Except as provided in subsection 2,
21 31 and notwithstanding section 8.33, moneys appropriated for the
21 32 fiscal year beginning July 1, 2013, in this division of this
21 33 Act that remain unencumbered or unobligated at the close of
21 34 the fiscal year shall not revert but shall remain available
21 35 to be used for the purposes designated until the close of the
22 1 succeeding fiscal year or until the project for which the
22 2 appropriation was made is completed, whichever is earlier.

CODE: Requires nonreversion of appropriations for FY 2014 from the EFF until the close of the FY 2015, or when a specific project is completed.

22 3 2. Notwithstanding section 8.33, moneys appropriated for
22 4 the fiscal year beginning July 1, 2013, in this division of

CODE: Requires nonreversion of appropriations for the Soil and Water Conservation Cost Share Program for FY 2014 from the EFF until the

22 5 this Act to the department of agriculture and land stewardship
 22 6 to provide financial assistance for the establishment of
 22 7 permanent soil and water conservation practices that remain
 22 8 unencumbered or unobligated at the close of the fiscal year
 22 9 shall not revert but shall remain available for expenditure
 22 10 for the purposes designated until the close of the fiscal year
 22 11 beginning July 1, 2016.

close of the FY 2017.

22 12 DIVISION VIII
 22 13 REAP — OPEN SPACES ACCOUNT
 22 14 SPECIAL APPROPRIATION FOR FY 2013-2014

22 15 Sec. 24. 2013 Iowa Acts, chapter 132, is amended by adding
 22 16 the following new section:

Special appropriation of \$250,000 from unobligated and unencumbered funds from the REAP Open Spaces Account for State Park Operations in FY 2014.

22 17 NEW SECTION SEC. 65. SPECIAL APPROPRIATION.

22 18 1. Notwithstanding section 455A.19, subsection 1, paragraph
 22 19 "a", there is appropriated from the open spaces account of
 22 20 the Iowa resources enhancement and protection fund to the
 22 21 department of natural resources for the fiscal year beginning
 22 22 July 1, 2013, and ending June 30, 2014, the following amount,
 22 23 or so much thereof as is necessary, to be used for the purposes
 22 24 designated:

FISCAL IMPACT: The unobligated and unencumbered balance in the Open Spaces Account as of March 20, 2014, is \$307,390.

22 25 For purposes of supporting the regular maintenance and
 22 26 operations of state parks and staff time associated with these
 22 27 activities:

22 28 \$ 250,000

22 29 2. The moneys appropriated in subsection 1 shall be expended
 22 30 on or after the effective date of this division of this Act
 22 31 prior to the expenditure of any unobligated moneys remaining in
 22 32 the open spaces account.

Specifies the funds will be expended on or after the effective date of this Division of the Bill and prior to the expenditure of any unobligated funds in the Open Spaces Account.

22 33 3. Notwithstanding section 455A.19, subsection 2, any
 22 34 moneys appropriated in this section that remain unexpended
 22 35 or unobligated at the close of the fiscal year beginning
 23 1 July 1, 2013, shall revert to the Iowa resources enhancement
 23 2 and protection fund created pursuant to section 455A.18 for
 23 3 allocation to accounts other than the open spaces account as
 23 4 provided in section 455A.19.

Specifies that funds not expended from the appropriation for State Park maintenance and operations from the Open Spaces Account in FY 2014 will revert to the REAP fund the beginning of FY 2015.

23 5 Sec. 25. EFFECTIVE UPON ENACTMENT. This division of this
 23 6 Act, being deemed of immediate importance, takes effect upon
 23 7 enactment.

This Section is effective on enactment.

23 8 DIVISION IX
 23 9 REAP — OPEN SPACES ACCOUNT
 23 10 SPECIAL APPROPRIATIONS FOR FY 2014-2015

23 11 Sec. 26. 2013 Iowa Acts, chapter 132, is amended by adding
23 12 the following new section:

23 13 NEW SECTION SEC. 66. SPECIAL APPROPRIATIONS.

23 14 1. Notwithstanding section 455A.19, subsection 1, paragraph
23 15 "a", there is appropriated from the open spaces account of
23 16 the Iowa resources enhancement and protection fund to the
23 17 department of natural resources for the fiscal year beginning
23 18 July 1, 2014, and ending June 30, 2015, the following amount,
23 19 or so much thereof as is necessary, to be used for the purposes
23 20 designated:

23 21 a. For purposes of supporting the regular maintenance and
23 22 operations of state parks and staff time associated with these
23 23 activities:
23 24 \$ 1,000,000

23 25 b. For purposes of providing for forestry health management
23 26 programs:
23 27 \$ 300,000

23 28 2. The moneys appropriated in subsection 1 shall be expended
23 29 on or after the effective date of this division of this Act
23 30 prior to the expenditure or obligation of any moneys allocated
23 31 to the account on or after the effective date of this division
23 32 of this Act.

23 33 3. Notwithstanding section 455A.19, subsection 2, any
23 34 moneys appropriated in this section that remain unexpended
23 35 or unobligated at the close of the fiscal year beginning
24 1 July 1, 2014, shall revert to the Iowa resources enhancement
24 2 and protection fund created pursuant to section 455A.18 for
24 3 allocation to accounts other than the open spaces account as
24 4 provided in section 455A.19.

24 5 DIVISION X
24 6 RELATED STATUTORY CHANGES
24 7 DNR — PURCHASE OF RADIOS

24 8 Sec. 27. 2011 Iowa Acts, chapter 128, section 19, subsection
24 9 1, as amended by 2012 Iowa Acts, chapter 1135, section 15, as
24 10 amended by 2013 Iowa Acts, chapter 132, section 51, is amended
24 11 to read as follows:

24 12 SEC. 19. USE OF MONEYS — RADIOS.

24 13 1. Notwithstanding 2010 Iowa Acts, chapter 1191, section 7,
24 14 the department of natural resources may use the unappropriated
24 15 balance remaining in the state fish and game protection fund
24 16 for the fiscal year beginning July 1, 2010, and ending June
24 17 30, 2011, to purchase mobile radios to meet federal and state

Special appropriation of \$1,000,000 from from the REAP Open Spaces Account for State Park Operations and Maintenance Program in FY 2015.

Special appropriation of \$300,000 from the REAP Open Spaces Account for the Forestry Health Management Program in FY 2015.

Specifies the funds will be expended on or after the effective date of this Division of the Bill and prior to the expenditure of any unobligated funds in the Open Spaces Account.

Specifies that funds not expended from the special appropriations from the Open Spaces Account in FY 2015 will revert to the REAP Fund the beginning of FY 2016.

CODE: Extends the date that allows the DNR to use unappropriated funds from the Fish and Game Protection Fund to purchase radios to June 30, 2015.

24 18 requirements for homeland security and public safety. This
 24 19 section applies to those moneys in the fund that are not
 24 20 otherwise used, obligated, or encumbered for payment of health
 24 21 and life insurance premium payments for conservation peace
 24 22 officer retirements for that fiscal year. The department may
 24 23 use such moneys until June 30, ~~2014~~ 2015.

24 24 Sec. 28. EFFECTIVE UPON ENACTMENT. This division of this
 24 25 Act, being deemed of immediate importance, takes effect upon
 24 26 enactment.

This Section is effective on enactment.

24 27 DIVISION XI
 24 28 PERSONAL SETTLEMENT AGREEMENT PAYMENTS

24 29 Sec. 29. PERSONNEL SETTLEMENT AGREEMENT PAYMENTS. As
 24 30 a condition made to any appropriation to the department of
 24 31 agriculture and land stewardship, the department of natural
 24 32 resources, or Iowa state university as provided in this Act,
 24 33 moneys appropriated and any other moneys available for use by
 24 34 that entity under this Act shall not be used for the payment
 24 35 of a personnel settlement agreement between that entity and
 25 1 a state employee that contains a confidentiality provision
 25 2 intended to prevent public disclosure of the agreement or any
 25 3 terms of the agreement.

Prohibits the DALs, the DNR, and the Board of Regents from using any funds for payment of a personnel settlement agreement with a State employee that contains a confidentiality agreement.

25 4 DIVISION XII
 25 5 RELATED STATUTORY CHANGES
 25 6 DNR — MANURE MANAGEMENT CERTIFICATION

25 7 Sec. 30. 2013 Iowa Acts, chapter 132, section 17, is amended
 25 8 by adding the following new subsection:
 25 9 NEW subSECTION 2A. Notwithstanding section 8.33, moneys
 25 10 appropriated in subsection 1 that remain unencumbered or
 25 11 unobligated at the close of the fiscal year beginning July
 25 12 1, 2013, shall not revert but shall remain available for
 25 13 expenditure for the purposes designated until the close of the
 25 14 fiscal year beginning July 1, 2014.

CODE: Extends the date that allows the DNR to use money appropriated from the Groundwater Protection Fund for the Manure Certification Program to June 30, 2015.

25 15 Sec. 31. EFFECTIVE UPON ENACTMENT. This division of this
 25 16 Act, being deemed of immediate importance, takes effect upon
 25 17 enactment.

This Section is effective on enactment.

25 18 DIVISION XIII
 25 19 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014
 25 20 WATER QUALITY INITIATIVE — CONFIDENTIALITY

25 21 Sec. 32. Section 466B.47, subsection 5, Code 2014, is
 25 22 amended by striking the subsection.
 25 23 Sec. 33. NEW SECTION 466B.49 CONFIDENTIALITY OF

CODE: Specifies information collected or received that includes landowner information for the Water Quality Initiative is considered confidential and is exempt from public access.

<p>25 24 INFORMATION.</p> <p>25 25 Any information received, collected, or held under this</p> <p>25 26 subchapter is a confidential record, and is exempted from</p> <p>25 27 public access as provided in section 22.7, if all of the</p> <p>25 28 following apply:</p> <p>25 29 1. The information is received, collected, or held by any</p> <p>25 30 of the following:</p> <p>25 31 a. The center.</p> <p>25 32 b. A nonprofit organization that conducts nutrient</p> <p>25 33 management research, including but not limited to conducting</p> <p>25 34 evaluations, assessments, or validations.</p> <p>25 35 2. The information identifies any of the following:</p> <p>26 1 a. A person who holds a legal interest in agricultural land</p> <p>26 2 or who has previously held a legal interest in agricultural</p> <p>26 3 land.</p> <p>26 4 b. A person who is involved or who has previously been</p> <p>26 5 involved in managing the agricultural land or producing crops</p> <p>26 6 or livestock on the agricultural land.</p> <p>26 7 c. The identifiable location of the agricultural land.</p> <p>26 8 Sec. 34. EFFECTIVE UPON ENACTMENT. This division of this</p> <p>26 9 Act, being deemed of immediate importance, takes effect upon</p> <p>26 10 enactment.</p> <p>26 11 DIVISION XIV</p> <p>26 12 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014</p> <p>26 13 REAP RESTRICTIONS ON OPEN SPACES ACCOUNT</p> <p>26 14 Sec. 35. Section 455A.19, subsection 1, paragraph a, Code</p> <p>26 15 2014, is amended by adding the following new subparagraph:</p> <p>26 16 NEW SUBPARAGRAPH (4) The department shall not acquire</p> <p>26 17 any interest in land using moneys allocated to the open spaces</p> <p>26 18 account under this paragraph "a" by exercising the power of</p> <p>26 19 eminent domain, including as provided in chapters 6A and 6B.</p> <p>26 20 Sec. 36. PENDING EMINENT DOMAIN PROCEEDINGS</p> <p>26 21 TERMINATED. Any proceeding commenced by the state and pending</p> <p>26 22 on the effective date of this division of this Act to acquire</p> <p>26 23 any interest in land using moneys allocated to the open spaces</p> <p>26 24 account under section 455A.19, subsection 1, paragraph "a", by</p> <p>26 25 exercising the power of eminent domain, including as provided</p> <p>26 26 in chapters 6A and 6B, shall be immediately terminated.</p> <p>26 27 Sec. 37. APPROPRIATION MADE CONTINGENT. All unencumbered</p> <p>26 28 and unobligated moneys appropriated to the department of</p> <p>26 29 natural resources from the general fund of the state under</p> <p>26 30 2013 Iowa Acts, chapter 132, section 37, as amended in this</p> <p>26 31 2014 Iowa Act, shall immediately revert to the general fund of</p> <p>26 32 the state if the department uses moneys allocated to the open</p>	<p>This Division is effective on enactment.</p> <p>CODE: Specifies that the DNR cannot acquire land using funds from the REAP Open Spaces Account using eminent domain.</p> <p>Terminates any land acquisition using funds in the Open Spaces Account to acquire land using eminent domain by the DNR.</p> <p>Requires any unencumbered or unobligated funds appropriated to the DNR from the General Fund to revert to the General Fund if the DNR uses funds from the Open Spaces Account to acquire land using eminent domain.</p>
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26 33 spaces account under section 455A.19, subsection 1, paragraph
 26 34 "a", to acquire any interest in land by exercising the power of
 26 35 eminent domain, including as provided in chapters 6A and 6B.

27 1 Sec. 38. EFFECTIVE UPON ENACTMENT. This division of this
 27 2 Act, being deemed of immediate importance, takes effect upon
 27 3 enactment.

Prohibits a second referendum if voters disapprove the first referendum.

Permits the referendum to be conducted by mail, electronic means, or a general meeting of eligible voters. The Board of Directors can count and tabulate the ballot from the referendum.

Prohibits the Loess Hills Alliance from entering any agreement with a local, state, or federal government that allows the Alliance to manage private or public land unless approved by a referendum.

Requires the Board of Directors of the Loess Hills Alliance to notify eligible voters of a referendum by publication and mail.

This Section is effective on enactment.

27 4 DIVISION XV
 27 5 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014 LOESS HILLS
 27 6 AUTHORITY AND ALLIANCE

27 7 Sec. 39.NEW SECTION 161D.9 RESTRICTION.
 27 8 The loess hills development and conservation authority
 27 9 or the board of directors of the loess hills alliance shall
 27 10 not enter into any agreement with a local government or the
 27 11 state or federal government if the agreement regulates, on an
 27 12 involuntary basis, the action of a private landowner or the use
 27 13 of a private landowner's land.

Requires the Loess Hills Alliance Board of Directors to adopt rules to administer the referendum.

27 14 Sec. 40. EFFECTIVE UPON ENACTMENT. This division of this
 27 15 Act, being deemed of immediate importance, takes effect upon
 27 16 enactment.

This Section is effective on enactment.

27 17 DIVISION XVI
 27 18 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014
 27 19 EMINENT DOMAIN

27 20 Sec. 41.NEW SECTION 6A.15 PROPERTY ON STATE HISTORIC
 27 21 REGISTRY.
 27 22 1. Property listed on the state register of historic places
 27 23 maintained by the historical division of the department of
 27 24 cultural affairs shall not be removed from the register solely
 27 25 for the purpose of allowing acquisition of the property by
 27 26 condemnation, unless such condemnation is undertaken by the
 27 27 department of transportation.

CODE: Makes changes to eminent domain procedures in the Department of Cultural Affairs. Prohibits condemnation of property listed on the State Register of Historic Places unless the condemnation is by the Department of Transportation.

27 28 2. Property listed on the state register of historic places
 27 29 maintained by the historical division of the department of
 27 30 cultural affairs shall not be condemned by the state or a
 27 31 political subdivision unless a joint resolution authorizing
 27 32 commencement of the condemnation proceedings is approved by a
 27 33 vote of at least two-thirds of the members of both chambers of
 27 34 the general assembly and signed by the governor. The approval
 27 35 requirements of this subsection shall not apply to condemnation
 28 1 undertaken by the department of transportation.

Prohibits the State or a political subdivision from condemning land on the State Register of Historic Places unless authorized by a vote of two-thirds of each chamber in the General Assembly and the Governor's signature.

28 2 Sec. 42. Section 6A.22, subsection 2, paragraph c,
 28 3 subparagraph (1), Code 2014, is amended to read as follows:
 28 4 (1) (a) If private property is to be condemned for
 28 5 development or creation of a lake, only that number of acres
 28 6 justified as reasonable and necessary for a surface drinking
 28 7 water source, and not otherwise acquired, may be condemned.
 28 8 In addition, the acquiring agency shall conduct a review of
 28 9 prudent and feasible alternatives to provision of a drinking
 28 10 water source prior to making a determination that such
 28 11 lake development or creation is reasonable and necessary.
 28 12 Development or creation of a lake as a surface drinking water
 28 13 source includes all of the following:
 28 14 (i) Construction of the dam, including sites for suitable
 28 15 borrow material and the auxiliary spillway.
 28 16 (ii) The water supply pool.
 28 17 (iii) The sediment pool.
 28 18 (iv) The flood control pool.
 28 19 (v) The floodwater retarding pool.
 28 20 (vi) The surrounding area upstream of the dam no higher in
 28 21 elevation than the top of the dam's elevation.
 28 22 (vii) The appropriate setback distance required by state or
 28 23 federal laws and regulations to protect drinking water supply.
 28 24 (b) For purposes of this subparagraph (1), "number of acres
 28 25 justified as reasonable and necessary for a surface drinking
 28 26 water source" means according to guidelines of the United
 28 27 States natural resource conservation service and according to
 28 28 analyses of surface drinking water capacity needs conducted by
 28 29 one or more registered professional engineers. The registered
 28 30 professional engineers may, if appropriate, employ standards
 28 31 or guidelines other than the guidelines of the United States
 28 32 natural resource conservation service when determining the
 28 33 number of acres justified as reasonable and necessary for
 28 34 a surface drinking water source. The data and information
 28 35 used by the registered professional engineers shall include
 29 1 data and information relating to population and commercial
 29 2 enterprise activity for the area from the two most recent
 29 3 federal decennial censuses unless the district court of the
 29 4 county in which the property is situated has determined by

CODE: Private property can only be condemned for a lake creation project if it is included in a reasonable number of acres to be used as a drinking water source. Prior to the condemnation, the acquiring agency will conduct a review to determine if there are other feasible alternatives to the condemnation. Specifies the types of drinking water projects. Further specifies the reasonable number of acres will be calculated by using guidelines from the federal Natural Resource Conservation Services. A registered engineer can use census data that includes population and commercial activity unless the District Court of the county where the property is located determines the data will not accurately predict the reasonable number of acres.

29 5 a preponderance of the evidence that such data would not
 29 6 accurately predict the population and commercial enterprise
 29 7 activity of the area in the future.
 29 8 (c) A second review or analysis of the drinking water
 29 9 capacity needs shall be performed upon receipt by the acquiring
 29 10 agency of a petition signed by not less than twenty-five
 29 11 percent of the affected property owners. The registered
 29 12 professional engineer to perform the second review or analysis
 29 13 shall be selected by a committee appointed by the affected
 29 14 property owners and whose membership is comprised of at
 29 15 least fifty percent property owners affected by the proposed
 29 16 condemnation action. The acquiring agency shall be responsible
 29 17 for paying the fees and expenses of such an engineer.
 29 18 (d) If private property is to be condemned for development
 29 19 or creation of a lake, the plans, analyses, applications,
 29 20 including any application for funding, and other planning
 29 21 activities of the acquiring agency shall not include or provide
 29 22 for the use of the lake for recreational purposes.

29 23 Sec. 43. Section 6B.54, subsection 10, paragraph a, Code
 29 24 2014, is amended by adding the following new subparagraph:
 29 25 NEW SUBPARAGRAPH (3) Reasonable attorney fees and
 29 26 reasonable costs not to exceed one hundred thousand dollars,
 29 27 attributable to a determination that the creation of a lake
 29 28 through condemnation includes a future recreational use or that
 29 29 a violation of section 6A.22, subsection 2, paragraph “c”,
 29 30 subparagraph (1), subparagraph division (d), has occurred, if
 29 31 such fees and costs are not otherwise provided under section
 29 32 6B.33.

CODE: Permits landowners to be reimbursed for up to \$100,000 in attorney fees for a lake creation project that uses condemnation.

29 33 Sec. 44. NEW SECTION 6B.56B DISPOSITION OF CONDEMNED
 29 34 PROPERTY — TWO-YEAR TIME PERIOD.

29 35 1. When two years have elapsed since property was condemned
 30 1 for the creation of a lake according to the requirements of
 30 2 section 6A.22, subsection 2, paragraph “c”, subparagraph (1),
 30 3 and the property has not been used for or construction has
 30 4 not progressed substantially from the date the property was
 30 5 condemned for the purpose stated in the application filed
 30 6 pursuant to section 6B.3, and the acquiring agency has not
 30 7 taken action to dispose of the property pursuant to section
 30 8 6B.56, the acquiring agency shall, within sixty days, adopt a
 30 9 resolution offering the property for sale to the prior owner
 30 10 at a price as provided in section 6B.56. If the resolution
 30 11 adopted approves an offer of sale to the prior owner, the offer
 30 12 shall be made in writing and mailed by certified mail to the
 30 13 prior owner. The prior owner has one hundred eighty days after
 30 14 the offer is mailed to purchase the property from the acquiring
 30 15 agency.

CODE: States procedures for the return of land that has been condemned for a lake creation project when the property has not been used within a two-year time period.

30 16 2. If the acquiring agency has not adopted a resolution
 30 17 described in subsection 1 within the sixty-day time period, the
 30 18 prior owner may, in writing, petition the acquiring agency to
 30 19 offer the property for sale to the prior owner at a price as
 30 20 provided in section 6B.56. Within sixty days after receipt of
 30 21 such a petition, the acquiring agency shall adopt a resolution
 30 22 described in subsection 1. If the acquiring agency does not
 30 23 adopt such a resolution within sixty days after receipt of the
 30 24 petition, the acquiring agency is deemed to have offered the
 30 25 property for sale to the prior owner.

30 26 3. The acquiring agency shall give written notice to the
 30 27 owner of the right to purchase the property under this section
 30 28 at the time damages are paid to the owner.

30 29 Sec. 45. Section 403.7, subsection 1, unnumbered paragraph
 30 30 1, Code 2014, is amended to read as follows:

30 31 A municipality shall have the right to acquire by
 30 32 condemnation any interest in real property, including a fee
 30 33 simple title thereto, which it may deem necessary for or in
 30 34 connection with an urban renewal project under this chapter,
 30 35 subject to the limitations on eminent domain authority
 31 1 in ~~chapter~~ chapters 6A and 6B. However, a municipality
 31 2 shall not condemn agricultural land included within an
 31 3 economic development area for any use unless the owner of
 31 4 the agricultural land consents to condemnation or unless the
 31 5 municipality determines that the land is necessary or useful
 31 6 for any of the following:

31 7 Sec. 46. **NEW SECTION 423B.11 USE OF REVENUES —**
 31 8 **LIMITATION.**

31 9 The revenue raised by a local sales and services tax imposed
 31 10 under this chapter by a county shall not be expended for any
 31 11 purpose related to a project that includes the condemnation of
 31 12 private property for the creation of a lake according to the
 31 13 requirements of section 6A.22, subsection 2, paragraph "c",
 31 14 subparagraph (1), if the local sales and services tax has not
 31 15 been approved at election in the area where the property to be
 31 16 condemned is located.

31 17 Sec. 47. Section 455A.5, Code 2014, is amended by adding the
 31 18 following new subsection:

31 19 **NEW SUBSECTION 7.** The authority granted to the commission
 31 20 to acquire real property for purposes of carrying out a
 31 21 duty related to development or maintenance of the recreation
 31 22 resources of the state, including planning, acquisition, and
 31 23 development of recreational projects, and areas and facilities
 31 24 related to such projects, shall not include the authority to
 31 25 acquire real property by eminent domain.

CODE: Requires a municipality to follow condemnation and eminent domain procedures for urban renewal projects.

CODE: Prohibits a county from using funds raised by a local sales tax for a lake creation project if not approved at election in the area where the property being condemned is located.

CODE: Prohibits the Natural Resource Commission in the DNR from acquiring land using eminent domain.

<p>31 26 Sec. 48. Section 456A.24, subsection 2, unnumbered 31 27 paragraph 1, Code 2014, is amended to read as follows: 31 28 Acquire by purchase, condemnation, lease, agreement, 31 29 gift, and devise lands or waters suitable for the purposes 31 30 hereinafter enumerated, and rights-of-way thereto, and to 31 31 maintain the same for the following purposes, to wit:</p> <p>31 32 Sec. 49. Section 456A.24, Code 2014, is amended by adding 31 33 the following new subsection: 31 34 NEW SUBSECTION 15. The authority granted the department 31 35 to acquire real property for any statutory purpose relating to 32 1 the development or maintenance of the recreation resources of 32 2 the state, including planning, acquisition, and development 32 3 of recreational projects, and areas and facilities related to 32 4 such projects, shall not include the authority to acquire real 32 5 property by eminent domain.</p> <p>32 6 Sec. 50. Section 461A.7, Code 2014, is amended to read as 32 7 follows: 32 8 461A.7 EMINENT DOMAIN PURCHASE OF LANDS — PUBLIC PARKS . 32 9 The commission may purchase or condemn lands <u>from willing</u> 32 10 <u>sellers</u> for public parks. No <u>A</u> contract for the purchase of 32 11 such public parks shall <u>not</u> be made to an amount in excess of 32 12 funds appropriated therefor by the general assembly.</p> <p>32 13 Sec. 51. Section 461A.10, Code 2014, is amended to read as 32 14 follows: 32 15 461A.10 TITLE TO LANDS. 32 16 The title to all lands purchased, condemned, or donated, 32 17 hereunder, for park or highway purposes <u>and the title to all</u> 32 18 <u>lands purchased, condemned, or donated hereunder for highway</u> 32 19 <u>purposes</u>, shall be taken in the name of the state and if 32 20 thereafter it shall be deemed advisable to sell any portion of 32 21 the land so purchased or condemned, the proceeds of such sale 32 22 shall be placed to the credit of the said public state parks 32 23 fund to be used for such park purposes.</p> <p>32 24 Sec. 52. Section 463C.8, subsection 1, paragraph k, Code 32 25 2014, is amended to read as follows: 32 26 k. The power to acquire, own, hold, administer, and dispose 32 27 of property, <u>except that such power is not a grant of authority</u> 32 28 <u>to acquire property by eminent domain</u>.</p> <p>32 29 Sec. 53. 2013 Iowa Acts, chapter 132, is amended by adding 32 30 the following new section: 32 31 NEW SECTION SEC. 75. REPEAL. Sections 461A.9 and 461A.75, 32 32 Code 2014, are repealed.</p> <p>32 33 Sec. 54. LIMITATION. The provisions of this division of</p>	<p>CODE: Prohibits the DNR from using condemnation or eminent domain to acquire land. This includes land for public parks.</p> <p>CODE: Prohibits the DNR from using eminent domain to acquire property for recreational projects.</p> <p>CODE: Prohibits the DNR from using condemnation or eminent domain to acquire land. This includes land for public parks</p> <p>CODE: Corrective language related to using condemnation for public lands and for water recreational projects.</p> <p>CODE: Repeals Iowa Code sections 461A.9 and 461A.75.</p> <p>Division XVI, related to eminent domain, will not limit or affect other</p>
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32 34 this Act shall not be construed or interpreted to limit or 32 35 otherwise affect the application of chapters 6A, 478, or 479 as 33 1 they relate to the eminent domain authority of the utilities 33 2 division of the department of commerce.	Iowa Code language related to the eminent domain authority of the Utilities Division in the Department of Commerce.
33 3 Sec. 55. SEVERABILITY. If any provision of this division of 33 4 this Act is held invalid, the invalidity shall not affect other 33 5 provisions or applications of this division of this Act which 33 6 can be given effect without the invalid provision, and to this 33 7 end the provisions of this division of this Act are severable 33 8 as provided in section 4.12.	Specifies conditions for severability.
33 9 Sec. 56. EFFECTIVE UPON ENACTMENT. This division of this 33 10 Act, being deemed of immediate importance, takes effect upon 33 11 enactment.	This Division is effective on enactment and applies to projects that are pending or commenced on enactment date. Further specifies projects that are retroactive.
33 12 Sec. 57. APPLICABILITY. Except as otherwise provided in 33 13 this division of this Act, this division of this Act applies to 33 14 projects or condemnation proceedings pending or commenced on or 33 15 after the effective date of this division of this Act.	Specifies applicability of projects or eminent domain proceedings.
33 16 Sec. 58. RETROACTIVE APPLICABILITY. Notwithstanding any 33 17 provision of law to the contrary, the following provision or 33 18 provisions of this division of this Act apply retroactively to 33 19 projects or condemnation proceedings pending or commenced on or 33 20 after February 15, 2013: 33 21 1. The section of this division of this Act amending section 33 22 6A.22. 33 23 2. The section of this division of this Act enacting section 33 24 6B.56B.	CODE: Provisions related to condemnation in this Division are retroactively applicable to projects or proceedings pending or commenced on or after February 1, 2013.

Summary Data

General Fund

	<u>Actual FY 2013 (1)</u>	<u>Estimated FY 2014 (2)</u>	<u>Gov Rec FY 2015 (3)</u>	<u>House Action FY 2015 (4)</u>	<u>House Action vs. Est 2014 (5)</u>	<u>Page and Line # (6)</u>
Agriculture and Natural Resources	\$ 56,974,860	\$ 40,824,631	\$ 45,096,631	\$ 43,061,995	\$ 2,237,364	
Grand Total	<u>\$ 56,974,860</u>	<u>\$ 40,824,631</u>	<u>\$ 45,096,631</u>	<u>\$ 43,061,995</u>	<u>\$ 2,237,364</u>	

Agriculture and Natural Resources General Fund

	Actual FY 2013 (1)	Estimated FY 2014 (2)	Gov Rec FY 2015 (3)	House Action FY 2015 (4)	House Action vs. Est 2014 (5)	Page and Line # (6)
<u>Agriculture and Land Stewardship</u>						
Agriculture and Land Stewardship						
Administrative Division	\$ 17,081,328	\$ 17,605,492	\$ 17,605,492	\$ 17,605,492	\$ 0	PG 1 LN 4
Milk Inspections	189,196	189,196	189,196	189,196	0	PG 3 LN 2
Farmers with Disabilities	130,000	130,000	130,000	130,000	0	PG 4 LN 28
GF-Soil Conservation Division	7,000,000	0	0	0	0	
Local Food and Farm	75,000	75,000	75,000	75,000	0	PG 3 LN 20
Agricultural Education	25,000	25,000	25,000	25,000	0	PG 4 LN 7
Water Quality Initiative	10,000,000	2,400,000	4,400,000	4,400,000	2,000,000	PG 5 LN 27
GF-Ag Drainage Wells	1,620,000	0	0	0	0	
Total Agriculture and Land Stewardship	\$ 36,120,524	\$ 20,424,688	\$ 22,424,688	\$ 22,424,688	\$ 2,000,000	
Loess Hills Dev. and Conservation						
Loess Hills Dev/Cons Authority FY02	\$ 0	\$ 75,000	\$ 75,000	\$ 75,000	\$ 0	PG 13 LN 6
Total Agriculture and Land Stewardship	\$ 36,120,524	\$ 20,499,688	\$ 22,499,688	\$ 22,499,688	\$ 2,000,000	
<u>Natural Resources, Dept. of</u>						
Natural Resources						
Natural Resources Operations	\$ 12,516,700	\$ 12,862,307	\$ 12,862,307	\$ 12,862,307	\$ 0	PG 9 LN 1
Floodplain Management Program	2,000,000	2,000,000	2,000,000	2,000,000	0	PG 12 LN 2
Forestry Health Management	100,000	200,000	200,000	200,000	0	PG 12 LN 24
Air Quality Program Support	0	0	2,072,000	0	0	
Total Natural Resources, Dept. of	\$ 14,616,700	\$ 15,062,307	\$ 17,134,307	\$ 15,062,307	\$ 0	
<u>Regents, Board of</u>						
Regents, Board of						
ISU - Iowa Nutrient Research Center	\$ 0	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000	\$ 0	PG 8 LN 16
ISU - Veterinary Diagnostic Laboratory	3,237,636	3,762,636	3,762,636	4,000,000	237,364	PG 13 LN 35
Total Regents, Board of	\$ 3,237,636	\$ 5,262,636	\$ 5,262,636	\$ 5,500,000	\$ 237,364	
<u>Treasurer of State</u>						
Treasurer of State						
Watershed Improvement Fund	\$ 3,000,000	\$ 0	\$ 0	\$ 0	\$ 0	
Total Treasurer of State	\$ 3,000,000	\$ 0	\$ 0	\$ 0	\$ 0	

Agriculture and Natural Resources

General Fund

	Actual FY 2013 <u>(1)</u>	Estimated FY 2014 <u>(2)</u>	Gov Rec FY 2015 <u>(3)</u>	House Action FY 2015 <u>(4)</u>	House Action vs. Est 2014 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Agriculture and Land Stewardship</u>						
Agriculture and Land Stewardship						
Silos And Smokestacks	\$ 0	\$ 0	\$ 200,000	\$ 0	\$ 0	
Total Agriculture and Land Stewardship	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 200,000</u>	<u>\$ 0</u>	<u>\$ 0</u>	
Total Agriculture and Natural Resources	<u>\$ 56,974,860</u>	<u>\$ 40,824,631</u>	<u>\$ 45,096,631</u>	<u>\$ 43,061,995</u>	<u>\$ 2,237,364</u>	

Summary Data

Other Funds

	<u>Actual</u> <u>FY 2013</u> <u>(1)</u>	<u>Estimated</u> <u>FY 2014</u> <u>(2)</u>	<u>Gov Rec</u> <u>FY 2015</u> <u>(3)</u>	<u>House Action</u> <u>FY 2015</u> <u>(4)</u>	<u>House Action</u> <u>vs. Est 2014</u> <u>(5)</u>	<u>Page and</u> <u>Line #</u> <u>(6)</u>
Agriculture and Natural Resources	\$ 81,639,582	\$ 88,034,573	\$ 87,784,573	\$ 87,784,573	\$ -250,000	
Grand Total	<u>\$ 81,639,582</u>	<u>\$ 88,034,573</u>	<u>\$ 87,784,573</u>	<u>\$ 87,784,573</u>	<u>\$ -250,000</u>	

Agriculture and Natural Resources

Other Funds

	Actual FY 2013 <u>(1)</u>	Estimated FY 2014 <u>(2)</u>	Gov Rec FY 2015 <u>(3)</u>	House Action FY 2015 <u>(4)</u>	House Action vs. Est 2014 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Agriculture and Land Stewardship</u>						
Agriculture and Land Stewardship						
Native Horse & Dog Prog-Unclaimed Winnings	\$ 305,516	\$ 305,516	\$ 305,516	\$ 305,516	\$ 0	PG 2 LN 1
Motor Fuel Inspection - RFIF	500,000	500,000	500,000	500,000	0	PG 2 LN 16
Conservation Reserve Enhance - EFF	1,000,000	1,000,000	1,000,000	1,000,000	0	PG 15 LN 7
Watershed Protection Fund - EFF	900,000	900,000	900,000	900,000	0	PG 15 LN 24
Farm Management Demo - EFF	625,000	625,000	625,000	625,000	0	PG 15 LN 33
Soil & Water Conservation - EFF	2,550,000	2,550,000	2,550,000	2,550,000	0	PG 16 LN 14
Conservation Reserve Prog - EFF	1,000,000	1,000,000	1,000,000	1,000,000	0	PG 16 LN 19
Cost Share - EFF	6,650,000	6,650,000	6,650,000	7,375,000	725,000	PG 16 LN 29
Agricultural Drainage Wells - EFF	550,000	0	550,000	550,000	550,000	PG 18 LN 15
Agricultural Drainage Wells - RIIF	1,000,000	0	0	0	0	
Silos & Smokestacks - EFF	0	0	0	200,000	200,000	PG 18 LN 21
Total Agriculture and Land Stewardship	\$ 15,080,516	\$ 13,530,516	\$ 14,080,516	\$ 15,005,516	\$ 1,475,000	
Loess Hills Dev. and Conservation						
Loess Hills - EFF	\$ 525,000	\$ 525,000	\$ 450,000	\$ 800,000	\$ 275,000	PG 17 LN 33
Total Agriculture and Land Stewardship	\$ 15,605,516	\$ 14,055,516	\$ 14,530,516	\$ 15,805,516	\$ 1,750,000	

Agriculture and Natural Resources

Other Funds

	Actual FY 2013 <u>(1)</u>	Estimated FY 2014 <u>(2)</u>	Gov Rec FY 2015 <u>(3)</u>	House Action FY 2015 <u>(4)</u>	House Action vs. Est 2014 <u>(5)</u>	Page and Line # <u>(6)</u>
Natural Resources, Dept. of						
Natural Resources						
Fish & Game- DNR Admin Expenses	\$ 41,078,234	\$ 41,223,225	\$ 41,223,225	\$ 41,223,225	\$ 0	PG 9 LN 32
GWF - Storage Tanks Study	100,303	100,303	100,303	100,303	0	PG 10 LN 27
GWF - Household Hazardous Waste	447,324	447,324	447,324	447,324	0	
GWF - Well Testing Admin 2%	62,461	62,461	62,461	62,461	0	
GWF - Groundwater Monitoring	1,686,751	1,686,751	1,686,751	1,686,751	0	
GWF - Landfill Alternatives	618,993	618,993	618,993	618,993	0	
GWF - Waste Reduction and Assistance	192,500	192,500	192,500	192,500	0	
GWF - Solid Waste Authorization	50,000	50,000	50,000	50,000	0	
GWF - Geographic Information System	297,500	297,500	297,500	297,500	0	
Snowmobile Registration Fees	100,000	100,000	100,000	100,000	0	PG 11 LN 10
Administration Match - UST	200,000	200,000	200,000	200,000	0	PG 11 LN 22
GWF - Manure Applicator Education Prog	0	250,000	0	0	-250,000	
Volunteers and Keepers of Land - EFF	100,000	100,000	100,000	100,000	0	PG 18 LN 34
Park Operations & Maintenance - EFF	3,710,000	6,360,000	5,885,000	4,610,000	-1,750,000	PG 19 LN 4
GIS Information for Watershed - EFF	195,000	195,000	195,000	195,000	0	PG 19 LN 9
Water Quality Monitoring - EFF	2,955,000	2,955,000	2,955,000	2,955,000	0	PG 19 LN 15
Water Quality Protection - EFF	500,000	500,000	500,000	500,000	0	PG 19 LN 20
Animal Feeding Operations - EFF	620,000	1,320,000	1,320,000	1,320,000	0	PG 19 LN 25
Ambient Air Quality Monitoring - EFF	425,000	425,000	425,000	425,000	0	PG 19 LN 30
Water Quantity - EFF	495,000	495,000	495,000	495,000	0	PG 20 LN 2
Geological and Water Survey - EFF	200,000	200,000	200,000	200,000	0	PG 20 LN 10
Keep Iowa Beautiful - EFF	0	200,000	200,000	200,000	0	PG 20 LN 17
REAP - EFF	12,000,000	16,000,000	16,000,000	16,000,000	0	PG 21 LN 11
Total Natural Resources, Dept. of	\$ 66,034,066	\$ 73,979,057	\$ 73,254,057	\$ 71,979,057	\$ -2,000,000	
Total Agriculture and Natural Resources	\$ 81,639,582	\$ 88,034,573	\$ 87,784,573	\$ 87,784,573	\$ -250,000	

Summary Data

FTE Positions

	Actual FY 2013 <u>(1)</u>	Estimated FY 2014 <u>(2)</u>	Gov Rec FY 2015 <u>(3)</u>	House Action FY 2015 <u>(4)</u>	House Action vs. Est 2014 <u>(5)</u>	Page and Line # <u>(6)</u>
Agriculture and Natural Resources	1,358.30	1,496.49	1,491.45	1,570.95	74.46	
Grand Total	<u>1,358.30</u>	<u>1,496.49</u>	<u>1,491.45</u>	<u>1,570.95</u>	<u>74.46</u>	

Agriculture and Natural Resources

FTE Positions

	Actual FY 2013 <u>(1)</u>	Estimated FY 2014 <u>(2)</u>	Gov Rec FY 2015 <u>(3)</u>	House Action FY 2015 <u>(4)</u>	House Action vs. Est 2014 <u>(5)</u>	Page and Line # <u>(6)</u>
<u>Agriculture and Land Stewardship</u>						
Agriculture and Land Stewardship						
Administrative Division	293.52	301.07	301.07	344.57	43.50	PG 1 LN 4
GW - Ag Drain Wells/Sinkholes	2.41	2.60	2.60	2.60	0.00	
Water Protection Fund	9.93	10.06	10.06	10.06	0.00	
EPA Non Point Source Pollution	4.39	4.37	4.37	4.37	0.00	
Abandoned Mined Lands Grant	7.21	7.40	7.40	7.40	0.00	
Brucellosis Eradication	1.08	1.00	1.00	1.00	0.00	
Commercial Establishment Fund	1.39	2.00	2.00	2.00	0.00	
Water Quality Initiative Fund	0.00	1.00	2.00	2.00	1.00	
Renewable Fuel Infrastructure Fund	0.08	0.00	0.00	0.00	0.00	
Total Agriculture and Land Stewardship	<u>320.01</u>	<u>329.50</u>	<u>330.50</u>	<u>374.00</u>	<u>44.50</u>	
<u>Natural Resources, Dept. of</u>						
Natural Resources						
Natural Resources Operations	1,002.30	1,109.95	1,109.95	1,145.95	36.00	PG 9 LN 1
Total Natural Resources, Dept. of	<u>1,002.30</u>	<u>1,109.95</u>	<u>1,109.95</u>	<u>1,145.95</u>	<u>36.00</u>	
<u>Regents, Board of</u>						
Regents, Board of						
ISU - Veterinary Diagnostic Laboratory	35.99	57.04	51.00	51.00	-6.04	PG 13 LN 35
Total Regents, Board of	<u>35.99</u>	<u>57.04</u>	<u>51.00</u>	<u>51.00</u>	<u>-6.04</u>	
Total Agriculture and Natural Resources	<u><u>1,358.30</u></u>	<u><u>1,496.49</u></u>	<u><u>1,491.45</u></u>	<u><u>1,570.95</u></u>	<u><u>74.46</u></u>	